(30)

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P. (S) No.4620/2007

PETITIONER Ram Narayan Shrivas, s/o Late Shri Nekram Shrivas, aged 47 years, Occupation Service, Presently posted as Patwari in Patwari Halka No.106-B, Raipur, Tehsil: Raipur, R/o Shanti Vihar Colony, Danganiya, Raipur (C.G)

Versus

RESPONDENTS

1. State of Chhattisgarh Through Secretary, Department of Revenue, D.K.S. Bhawan, Mantralaya, Raipur (C.G) (C.G.)
2. Commissioner, Land Records, State of Chhattisgarh, Raipur (C.G)
3. The Collector, Raipur, Distt. Raipur (C.G)
4. The Sub-Divisional Officer, Revenue, Raipur (C.G)
5. Jitendra Sinha, s/o Not known, Occupation-Service, presently working as Patwari in Patwari Halka No.40, Gohrapadar, Sub-Tahsil Mainpur (incorrectly mentioned in the order impugned as Manpur) Raipur (C.G)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Appearance:

Shri Rajeev Shrivastava, Counsel for the petitioner.
Shri Yashwant Singh, Govt. Advocate, for the State on advance copy.

ORAL ORDER
(08.08.2007)

SUNIL KUMAR SINHA, J,

Heard on admission.

By this writ petition, a challenge is made to the order of transfer dated 29.6.2007 whereby the petitioner, who is working on the post of Patwari, has been transferred from Patwari Halka No.106B Raipur to

(31)

W.P. (S) No.4620/2007

Patwari Halka No.14, Gariaband, Distt. Raipur, on administrative grounds.

Learned counsel for the petitioner argues that the petitioner is a victim of frequent transfers. He submits that on 17.8.2004, the petitioner was transferred from Baloda Bazar to Tilda, thereafter again on 21.7.2006 he was transferred from Tilda to Raipur and now within a period of less than one year i.e., on 29.6.2007, he has been transferred from Raipur to Gariaband.

Admittedly, the petitioner was subjected to 3 transfers in between 17.8.2004 and 29.6.2007 i.e., within a period of 3 years. The petitioner is a low paid employee, therefore, considering the facts and circumstances of this case, in the opinion of this Court, ends of justice would be served if the petitioner is directed to file a representation before the concerned authority and the concerned authority is directed to dispose of the same within the stipulated period granted by this Court.

Accordingly, this petition is disposed of with a direction that the petitioner, if so advised, may file a detailed representation before the concerned authority within 15 days from today along-with a copy of this order and copy of writ petition and if such a representation is filed, the concerned authority shall dispose of the same as early as possible preferably within a period of 2 months from the date of submission of representation, considering the ground that petitioner was subjected to 3 transfers within a period of less than 3 years.

It is further directed that in the meanwhile, the petitioner shall not be relieved from his present place of posting and shall be allowed to continue there.

With the above direction/observations, this petition stands finally disposed of.

C.c. as per rules.

Sd/-
Sunil Kumar Sinha
Judge